

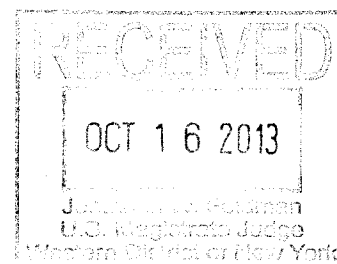
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October 16, 2013

BY FACSIMILE

Honorable Jonathan W. Feldman  
United States Magistrate Judge  
Kenneth B. Keating Federal Building  
100 State Street  
Rochester, NY 14614



*Lucy Tasama v. Estate of Robert Smith, 6:10-cv-06702-JWF*

Dear Judge Feldman:

Counsel for Plaintiff Lucy Tasama and counsel for Defendant the Estate of Robert Smith write jointly to request a one week extension of the briefing schedule for the evidentiary motions *in limine* identified in yesterday's pre-trial conference.

After our conference, the New York State Attorney General's office approached defense counsel to advise that there is the potential for settlement if Plaintiff would agree in principle to the Attorney General's proposed settlement figure. Plaintiff has agreed to that figure and has communicated that agreement to defense counsel, who has in turn communicated Plaintiff's willingness to settle to the Attorney General's office. The parties are now waiting for the State to take the necessary steps for approval, which we understand may take approximately a week to 10 days.

Briefs are currently due October 22<sup>nd</sup>, with jury selection to begin November 6<sup>th</sup>. A one week extension to October 29<sup>th</sup> would provide the Court with just over one week prior to the commencement of trial to review the parties' briefs, should an issue arise in the State's approval process.

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Hon. Jonathan W. Feldman

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October 16, 2012

We believe that the parties are close to reaching a settlement agreement and therefore respectfully request this extension to potentially save the Court's time in unnecessarily reviewing the parties' pre-trial motions.

Respectfully yours,

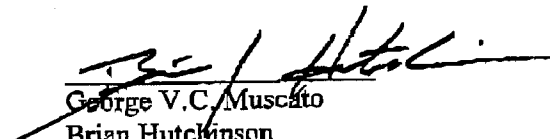
Counsel for Plaintiff:



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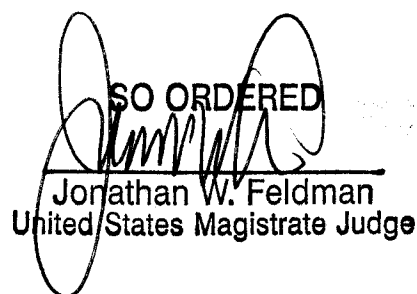
Counsel for Defendant:



George V.C. Muscato  
Brian Hutchinson  
MUSCATO, DIMILLO & VONA, L.L.P.

cc: Daniel Schulze, Esq.  
Barbara Demchuk Maddox, Esq.  
Richard Brewster, Esq.  
New York State Attorney General's Office, by email

Request approved.



SO ORDERED  
Jonathan W. Feldman  
United States Magistrate Judge